

## R E M A R K S

Enclosed is a replacement Fig. 2 in which the reference numeral 8' has been entered.

The description has been amended so as to overcome the formal objections.

Concerning the claim rejections under 35 USC § 112 paragraph 2, it is noted that the Examiner's understanding of the meaning of "geometric center" is correct. Claim 1 has been amended to define a "geometric center of curvature", which should overcome the rejection.

As to the Examiner's comments concerning claim 2, it is noted that, according to claim 2, the center of force transmission is not defined to be on the piston as is stated by the Examiner, but rather on the cylinder envelope defined by the piston axes. That is, the center of force transmission K can be disposed on the cylinder envelope defined by the axes of the pistons in front of the respective piston axes with respect to the direction of rotation of the pivoting disc – as defined in claim 2.

Reconsideration of the rejection of claims 1 and 2 under 35 USC 112 is respectfully requested.

Concerning the rejection of claims 1, 3 and 5 under 103(a) as being unpatentable over Kuhn et al. (6 164 252) in view of Terauchi (4 664 604):

Kuhn et al. (US 6 164 252) discloses a reciprocating piston engine with an annular swivel disk whose inclinations with respect to the engine shaft is adjustable for driving the pistons 2. To this end, the disk is connected in an articulated manner to the sliding sleeve 21 and to a driver 13, which transmits the driving force and is spaced from the engine shaft.

The arrangement as disclosed by Terauchi (US 4 664 604) which discloses a refrigerant compressor is very similar to that of Kuhn.

There is no indication or suggestion in either reference that, as defined in original claim 2 of the present application, the center of force transmission (K) is located approximately on the cylinder envelope defined by the piston axes in front of the associated cylinder axis with respect to the direction of rotation of the pivoting disk.

This feature has been included in claim 1 and claim 2 has been canceled.

Reconsideration of claim 1 as amended is therefore respectfully requested.

Claims 3 and 5 define particular features considered to be advantageous in connection with the arrangement as defined in amended claim 1.

Claim 4 has already been allowed by the Examiner provided it is amended to include all the features of claim 1. As claim 1 should now be patentable claim 4 should also be patentable in its dependency on claim 1.

Reconsideration of the dependent claims 3 – 5 is respectfully requested and allowance of claim 1 as amended and of claims 3 – 5 is solicited.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "K. Bach".

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